

REMARKS

Claims 1-3, 5-15 and 17-28 remain pending in the application with the present amendments. Claims 4 and 16 are canceled herein in view of the amendments made to the independent claims 1 and 13 from which they depend. The Title is amended herein as suggested by the Examiner. In the Official Action, all of the claims were rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,144,388 to Bornstein ("*Bornstein*") in view of the article by Pry "Online Retailers Add 3-D Music to Web Sites for Sense of Reality" ("*Pry*"). For the reasons set forth below, applicant respectfully submits that the claims as amended herein overcome the rejections over the cited art. Consideration and allowance of all claims is respectfully requested.

As amended herein, all of the independent claims now recite features relating to processing of a 3-dimensional image of a commodity in accordance with a user-selected viewpoint to produce a combined image of the commodity and a background. Here, in order for processing to allow selection of the viewpoint by a user from among a plurality of user-selectable viewpoints, coordinates of the portion of the 3-dimensional image of the commodity that can be seen from the viewpoint are extracted. In accordance with the extracted coordinates, an image of the commodity is converted from the 3-dimensional image and then combined with the background image.

By contrast, neither *Bornstein* nor *Pry*, nor the combination thereof, teach or suggest these features of the presently claimed invention. *Bornstein* merely describes a system for combining images of clothing and the like with an image of a user. In relation to cancelled claim 4, the Examiner states that *Bornstein* does not disclose "changing a viewpoint for the image of the commodity."

Pry does not provide the teachings which *Bornstein* lacks with respect to the invention recited in the presently amended claims. *Pry* merely describes a system which allows sellers to post images of wares which can be "viewed from different angles." Another statement refers to a "virtual walk-around." However, *Pry* gives no indication of how such function is provided or what is presented to the user. Nothing in *Pry* refers to use of a 3-dimensional image. The statements in *Pry* might merely refer to selection of one of a series of still pictures of the item based on the angle of viewing. Neither these nor other statements in *Pry* teach or suggest extraction of coordinates from a 3-dimensional image of the commodity and using the extracted coordinates to produce an image converted from the 3-dimensional image for combining with the background image.

Support for the present amendments is provided, inter alia, at paragraphs [0043] and [0069] of the Specification.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited. If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone applicant's attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

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If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

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Respectfully submitted,

By 

Daryl K. Neff

Registration No.: 38,253

LERNER, DAVID, LITTENBERG,

KRUMHOLZ & MENTLIK, LLP

600 South Avenue West

Westfield, New Jersey 07090

(908) 654-5000

Attorney for Applicant

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